

CIVIL COVER SHEET
Cover Sheet Pg 1 of 2

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
SECURITIES INVESTOR PROTECTION CORPORATION

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
SIPC, Kevin H. Bell, Esq.
1667 K Street NW, Suite 1000, Washington, D.C. 20006
Telephone: (202) 371-8300

DEFENDANTS *See EXHIBIT A, annexed to the Joint Notice of Appeal
1. IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment Securities, LLC and Bernard L.
Madoff; 2. Aaron Blecker and Participating Claimants

ATTORNEYS (IF KNOWN)
1. Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111
Phone: (212) 589-4200;
2. Chaitman LLP, 465 Park Ave., New York, NY 10022; Phone: (888) 759-1114

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 158(a)(1); Appeal from Order of Bankruptcy Court

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL	<input type="checkbox"/> 625 DRUG RELATED	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> SEIZURE OF PROPERTY	28 USC 158	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	28 USC 157	REAPPORTIONMENT
<input type="checkbox"/> 150 INSTRUMENT	<input type="checkbox"/> SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL			<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> INJURY PRODUCT			<input type="checkbox"/> 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY			<input type="checkbox"/> 450 COMMERCE
ENFORCEMENT	LIABILITY		PROPERTY RIGHTS		<input type="checkbox"/> 460 DEPORTATION
OF JUDGMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY	<input type="checkbox"/> 820 COPYRIGHTS		<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 830 PATENT		ENCED & CORRUPT
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ORGANIZATION ACT
DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE		<input type="checkbox"/> 840 TRADEMARK		(RICO)
STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE	<input type="checkbox"/> 380 OTHER PERSONAL		SOCIAL SECURITY	<input type="checkbox"/> 480 CONSUMER CREDIT
(EXCL VETERANS)	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> PROPERTY DAMAGE		<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 385 PROPERTY DAMAGE	LABOR	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE
OVERPAYMENT	INJURY	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	
OF VETERAN'S	<input type="checkbox"/> 362 PERSONAL INJURY -		<input type="checkbox"/> STANDARDS ACT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 890 OTHER STATUTORY
BENEFITS	MED MALPRACTICE	PRISONER PETITIONS	<input type="checkbox"/> 720 LABOR/MGMT	<input type="checkbox"/> 865 RSI (405(g))	ACTIONS
<input type="checkbox"/> 160 STOCKHOLDERS		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 740 RAILWAY LABOR ACT		<input type="checkbox"/> 891 AGRICULTURAL ACTS
SUITS	ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 751 FAMILY MEDICAL	FEDERAL TAX SUITS	
<input type="checkbox"/> 190 OTHER	CIVIL RIGHTS	VACATE SENTENCE	LEAVE ACT (FMLA)	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	
CONTRACT	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	28 USC 2255	<input type="checkbox"/> 790 OTHER LABOR	Defendant)	<input type="checkbox"/> 893 ENVIRONMENTAL
PRODUCT	(Non-Prisoner)	<input type="checkbox"/> 530 HABEAS CORPUS	LITIGATION	<input type="checkbox"/> 871 IRS-THIRD PARTY	MATTERS
LIABILITY		<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 EMPL RET INC	26 USC 7609	<input type="checkbox"/> 895 FREEDOM OF
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 540 MANDAMUS & OTHER	SECURITY ACT (ERISA)		INFORMATION ACT
	<input type="checkbox"/> 442 EMPLOYMENT				<input type="checkbox"/> 896 ARBITRATION
REAL PROPERTY	<input type="checkbox"/> 443 HOUSING/	PRISONER CIVIL RIGHTS	IMMIGRATION		<input type="checkbox"/> 899 ADMINISTRATIVE
<input type="checkbox"/> 210 LAND	ACCOMMODATIONS	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION		PROCEDURE ACT/REVIEW OR
CONDEMNATION	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 555 PRISON CONDITION	APPLICATION		APPEAL OF AGENCY DECISION
<input type="checkbox"/> 220 FORECLOSURE	DISABILITIES -	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 465 OTHER IMMIGRATION		
RENT LEASE &	EMPLOYMENT	CONDITIONS OF CONFINEMENT	ACTIONS		<input type="checkbox"/> 950 CONSTITUTIONALITY OF
<input type="checkbox"/> 230 EJECTMENT	<input type="checkbox"/> 446 AMERICANS WITH				STATE STATUTES
<input type="checkbox"/> 240 TORTS TO LAND	DISABILITIES -OTHER				
<input type="checkbox"/> 245 TORT PRODUCT	<input type="checkbox"/> 448 EDUCATION				
LIABILITY					
<input type="checkbox"/> 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☐ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☒ 7 Appeal to District Judge from Magistrate Judge
 ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION
 ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

SECURITIES INVESTOR PROTECTION CORPORATION

c/o Kevin H. Bell, Esq.

1667 K Street NW, Suite 1000, Washington, D.C. 20006

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

1. IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities, LLC and Bernard L. Madoff

c/o Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111

2. Aaron Blecker and Participating Claimants

c/o Chaitman LLP, 465 Park Ave., New York, NY 10022

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 08/10/2018 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #



ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. 06 Yr. 1978)

Attorney Bar Code # 4266

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)